

01-16-02

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Attorney Docket No. 1867 P 025

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Continuation Patent Application Of: ) Prior Application:  
John J. Leonard, Steven Robert Ehardt, Newell Esmond, ) Application No. 09/603,560  
Kurt Aaron Kreutzmann, Timothy J. Hamilton, and ) Filed: June 23, 2000  
John Konieczka ) Art Unit: 2856  
Mailed: January 14, 2002 ) Examiner: C. Garber  
For: Mobile Pneumatic Apparatus & Method For )  
Testing a Container Seal ) Present Application:  
 ) Examiner: Not Assigned  
 ) Art Unit: Not Assigned

10/046451 U.S. PTO  
01/14/02

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01/14/02

**CONTINUATION PATENT APPLICATION  
TRANSMITTAL FILING UNDER 37 C.F.R. §1.53(b)**

Box Patent Application  
Fee  
Commissioner For Patents  
Washington, DC 20231

Dear Sir:

This is a request for filing a continuation application of co-pending prior Application No. 09/603,560, under 37 C.F.R. § 1.53(b). The parent application was filed on June 23, 2000 by Applicants John J. Leonard, Steven Robert Ehardt, Newell Esmond, Kurt Aaron Kreutzmann, Timothy J. Hamilton, and John Konieczka, and is similarly entitled "Mobile Pneumatic Apparatus & Method For Testing a Container Seal."

**Benefit of Prior U.S. Applications**

The attached continuation application being transmitted claims the benefit of a prior U.S. application, as indicated below.

**Papers Enclosed**

In accordance with 37 C.F.R. § 1.63(d), the specification filed herewith contains no new matter. Accordingly, copies of the executed Declarations and Powers of Attorney from the parent application (U.S. Application No. 09/603,560) are submitted herewith.

The papers attached are as follows:

18 pages of Specification;  
6 pages of Claims;  
1 page of Abstract;  
9 sheets of informal Drawings containing Figures 1-4, 5A, 5B, 6-8, 9A, 9B, 10-16.

Attorney Docket No. 1867 P 025

Title: "Mobile Pneumatic Apparatus & Method For Testing a Container Seal"

Inventors: John J. Leonard, Steven Robert Ehardt, Newell Esmond, Kurt Aaron Kreutzmann,  
Timothy J. Hamilton, and John Konieczka,

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**Additional Papers Enclosed**

A Response to July 12, 2001 Office Action in the parent Application indicating on page 5 that a continuation application would be filed for the claims cancelled in the parent Application.

**Incorporation by Reference**

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated herein by reference.

**Inventorship Statement**

The inventorship for all the claims in this application is the same as that for the parent application.

**Fee Calculation (37 C.F.R. § 1.16)**

The filing fee has been calculated as shown below:

For:	No. Filed	No. Extra
Basic Fee		
Total Claims	17 - 20 =	0
Indep. Claims	4 - 3 =	1
<input type="checkbox"/> First Presentation of Multiple Dependent Claim		

Small Entity	
Rate	Fee
	\$370
x 9 =	\$0
x 42 =	\$0
x 140 =	\$0
Total	\$0

Other Than A Small Entity	
Rate	Fee
	\$740
x 18 =	\$0
x 84 =	\$ 84
x 280 =	\$0
Total	\$824

X Check No. 10917 in the amount of \$824.00 is attached. The Commissioner is hereby authorized to credit any overpayment or charge any deficit to Deposit Account No. 23-0280.

Attorney Docket No. 1867 P 025

Title: "Mobile Pneumatic Apparatus & Method For Testing a Container Seal"

Inventors: John J. Leonard, Steven Robert Ehardt, Newell Esmond, Kurt Aaron Kreutzmann,  
Timothy J. Hamilton, and John Konieczka,

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**Relate Back—35 U.S.C. 120**

Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

Please address all future communications to:

Micheal D. Lake  
Wallenstein & Wagner, Ltd.  
311 South Wacker Drive, 53rd Floor  
Chicago, Illinois 60606-6630  
312.554.3300

Respectfully submitted,

Date: 1/14/02

By: Peter M. Siavelis  
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312.554.3300  
Attorneys for Applicant

**CERTIFICATION UNDER 37 C.F.R. § 1.10**

Express Mail Label No. EL 83151077945

Date of Deposit: January 14, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Box Patent Application, Fee, Commissioner for Patents, Washington, D.C. 20231.

Kathleen Rundquist  
Kathleen Rundquist/138479.1

In Re Continuation Application Of:

John J. Leonard, Steven Robert Ehardt, Newell Esmond, Kurt Aaron Kreutzmann, Timothy J. Hamilton, and John Konieczka

For:

Mobile Pneumatic Apparatus & Method For Testing a Container Seal.

W&W File No.

1867 P 025

Enclosures:

Post Card.

Check No. 10917 for \$824.00.

Patent Application Transmittal (in duplicate).

25 Sheets of Specification, Claims and Abstract (17 Claims/4 indep).

9 sheets of informal Drawings containing Figures 1-4, 5A, 5B, 6-8, 9A, 9B, 10-16.

Copy of Declaration and Power of Attorney from parent Application (5 Declarations).

Copy of Amendment filed in parent application in Response to July 12, 2001 Office Action.

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CERTIFICATION UNDER 37 C.F.R. § 1.10

Express Mail Label No. *EL 831510779 US*

Date of Deposit: January 14, 2002

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*Kathleen Rundquist*  
Kathleen Rundquist/138479.1

DEPARTMENT OF COMMERCE